

AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 20, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-21199 - APPLICANT/OWNER: JESUS IS LORD FELLOWSHIP

**** CONDITIONS ****

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 05/02/07, except as amended by conditions herein.
3. A Waiver from Title 19.12 is hereby approved to allow no landscape buffer along 345 feet of the south property line, 130 feet of the west property line, and 285 feet of the north property line along areas to be left undeveloped.
4. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
5. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
6. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.

9. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
11. Prior to the issuance of the Building Permit, a revised Site Plan shall be submitted to the Planning and Development Department that incorporates a trash enclosure within the project parking lot and is to be located 50 feet from the residential property line.
12. Any proposed future development for the undeveloped portion of the project site shall require a pre-application conference and a determination for site development review.
13. Parking shall not be permitted at anytime on the undeveloped area of the project site.
14. Decomposed granite shall be installed upon all areas not covered by building, parking, or landscaping.
15. Any property line wall shall be a decorative block wall with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade unless otherwise stipulated.
16. All City Code requirements and design standards of all City Departments must be satisfied except as modified herein.

Public Works

17. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
18. Submit an application for a deviation from Standard Drawing #222a for the depth and radius of the driveway accessing this site from Marion Drive.
19. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.

20. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
21. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The project is a request for a Site Development Plan Review for a 8,900 square foot Church/House of Worship and a Waiver to allow no landscape buffer along 345 feet of the south property line, 130 feet of the west property line, and 285 feet of the north property line on a vacant 2.44 acre site located at 37 Marion Drive, approximately 530 feet north of the intersection of East Charleston Boulevard and Marion Drive.

The proposed infill development project will assist in revitalizing the character of this mature community consistent with the goals and objectives of the General Plan. Staff recommends approval.

BACKGROUND INFORMATION

| <i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i> | |
|--|--|
| 12/18/76 | The City Council approved a Rezoning (Z-0068-75) on the subject property as part of a larger request. The Planning Commission recommended approval. |
| 06/01/88 | The City Council approved a Variance (V-0031-88) to allow a mini-warehouse on property to the west. |
| 09/05/90 | The City Council denied a request for a Special Use Permit (U-0079-90) for a 60-unit apartment complex on the subject property. |
| 12/08/97 | The City Council approved a General Plan Amendment (GPA-0054-97) to SC (Service Commercial) on the subject property as part of a larger request. The Planning Commission recommended approval. |
| 03/12/98 | The Planning Commission approved a Site Development Plan Review [Z-0068-75(6)] for a commercial recreational vehicle parking lot on the subject property. |
| 05/2/01 | The City Council approved a Site Development Plan Review [Z-0068-75(9)], Special Use Permit (U-003-01) and a Variance [V-0015-01] for a mini-warehouse facility on the subject property. The Planning Commission recommended approval. |
| 02/27/03 | The Planning Commission approved a Site Development Plan Review (SDR-1725) for a church on the subject property. Staff recommended approval. |
| 05/24/07 | The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #60/ja). |
| <i>Pre-Application Meeting</i> | |
| 03/27/2007 | A Pre-Application conference was held where Planning staff advised the applicant of the Site Development Plan review requirements. |
| <i>Neighborhood Meeting</i> | |
| A Neighborhood Meeting is not required for this application type nor was one held. | |

| Field Check | |
|--------------------------|---|
| 04/23/2007 and 5/09/2007 | A site visit was conducted to the project parcel and the property is a fenced vacant flat dirt lot with existing commercial uses to the south and west, single family residential to the north, and multi-family residential to the east. Existing 8 foot tall block walls lie along the perimeter of the site. |

| Details of Application Request | |
|---------------------------------------|------------|
| Site Area | |
| Net Acres | 2.42 acres |

| Surrounding Property | Existing Land Use | Planned Land Use | Existing Zoning |
|----------------------|--|---|---------------------------------|
| Subject Property | Undeveloped | SC: Service Commercial | C-1: Limited Commercial |
| North | Single-family residential | L: Low density residential | R-1: Single family residential |
| South | Commercial | SC: Service Commercial | C-1: Limited Commercial |
| East | Multi-family and Single family Residential | M: Medium Density Residential ML: Medium Low Density Residential | R-3: Medium Density Residential |
| West | Commercial | SC: Service Commercial | C-1: Limited Commercial |

| Special Districts/Zones | Yes | No | Compliance |
|---|------------|-----------|-------------------|
| Special Purpose and Overlay Districts | | X | Y |
| Trails | | X | Y |
| Rural Preservation Overlay District | | X | Y |
| Development Impact Notification Assessment | | X | Y |
| Project of Regional Significance | | X | Y |

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following Commercial Development Standards apply:

| Standard | Required/Allowed | Provided | Compliance |
|-----------------|-------------------------|-----------------|-------------------|
| Min. Lot Size | NA | NA | Y |
| Min. Lot Width | 100 | 70* | Y |
| Min. Setbacks | | | |
| • Front | 20 | 210 | Y |
| • Side | 10 | 39, 15 | Y |
| • Corner | - | - | |
| • Rear | 20 | 448 | Y |

| | | | |
|---------------------------------|--|-----------|---|
| Min. Distance Between Buildings | NA | NA | Y |
| Max. Lot Coverage | 50 percent | 8 percent | Y |
| Max. Building Height | NA | 30 feet | Y |
| Trash Enclosure | 50 feet from residential property line | None | N |
| Mech. Equipment | Screened | Screened | Y |

*The lot is legally nonconforming.

The following Title 19.08 Residential Adjacency Standards apply:

| <i>Residential Adjacency Standards</i> | <i>Required/Allowed</i> | <i>Provided</i> | <i>Compliance</i> |
|---|--|-----------------------------------|--------------------------|
| | Matching rear setback of adjacent R-1 district 39 foot setback @ 15 ft. height 78 feet @ 25 ft. height 90 feet @ 30 ft. height | 39 feet 80 feet 93 feet | Y Y Y |
| 3:1 proximity slope | | | |
| Adjacent development matching setback | 28 feet | 39 feet | Y |
| Trash Enclosure | 50 feet | None | N/A |

The following Title 19.12 Commercial Landscape Standards apply:

| <i>Landscaping and Open Space Standards</i> | | | | |
|--|---|---------------------|------------------------|--------------------------|
| <i>Standards</i> | <i>Required</i> | | <i>Provided</i> | <i>Compliance</i> |
| | <i>Ratio</i> | <i>Trees</i> | | |
| Parking Area | 1 Trees/6 Spaces 34 spaces | 5 Trees | 23 Trees | Y |
| Buffer: Min. Trees | 1 Tree/20 Linear Feet along residential | 41 Trees | 27 Trees | N* |
| | 1 Tree/30 Linear Feet along commercial | 30 Trees | 23 Trees | N |
| TOTAL | | 76 Trees | 73 Trees | N |
| Min. Zone Width | 8 Feet interior lot lines 15 Feet along public ROW | | 8 Feet 15 Feet | Y |
| Wall Height | 8 Feet | | 8 feet existing | Y |

*A Waiver of perimeter landscape buffers along segments of the south, west, and north property lines is requested.

Pursuant to Title 19.10, the following parking standards apply:

| Parking Requirement | | | | | | | |
|-------------------------|-------------------------------------|---|---------|--------------|----------|--------------|------------|
| Use | Gross Floor Area or Number of Units | Required | | | Provided | | Compliance |
| | | Parking Ratio | Parking | | Parking | | |
| | | | Regular | Handi-capped | Regular | Handi-capped | |
| Church/House of Worship | 3,300 square foot Sanctuary | 1 space for every 100 square feet of non-fixed seating in the gatherin g area | 33 | 2 | 34 | 3 | Y |
| SubTotal | | | 33 | 2 | 34 | 3 | Y |
| TOTAL | | | 33 | 2 | 34 | 3 | |

| <i>Waivers</i> | | |
|---|---------------------------|------------------------------------|
| <i>Request</i> | <i>Requirement</i> | <i>Staff Recommendation</i> |
| No landscape buffer along undeveloped areas of the south, north, and west property lines. | 8 foot buffer | APPROVE |

ANALYSIS

- General Plan and Zoning**

The General Plan Land Use designates the subject parcel as SC (Service Commercial) with the underlying C-1 (Limited Commercial) zone consistent with this designation. A Church is a permitted use within the C-1 (Limited Commercial) zone.

- **Site Plan, Landscaping, and Parking**

The project will result in an infill development located within a Revitalization area comprised of single family residential to the north, commercial uses along the west and south, and multi-family residential to the east. The project site plan depicts an 8,900 square foot Church/House of Worship with associated perimeter landscaping and hardscape improvements. Driveway access will be provided from a single entry at Marion Way and pedestrian access provided from the public Right-of-Way to the church along the southern property line.

Project landscaping will consist of 24-inch box shoestring acacia trees throughout the site and three 12-inch palm trees at the church entrance. A Waiver of perimeter landscaping along segments of the south, west, and north property lines is requested for the approximately 40,000 square foot area proposed to be left undeveloped. The deviation will allow no landscape buffer along 345 feet of the south property line, 130 feet of the west property line, and 285 feet of the north property line along areas to be left undeveloped.

Staff supports the Waiver request as parking lot landscaping will be enhanced with additional trees and shrubs beyond Title 19.10 requirements. Landscaping will be provided along the eastern edge of the parking lot turn-around to prevent vehicular access onto the dirt lot.

Project parking will be in excess of Title 19.10 requirements by one space with a total of 34 spaces including three handicapped accessible spaces proposed. A condition will be incorporated into the project restricting the undeveloped area of the parcel from being used as parking. Additionally, a condition requiring the undeveloped portion to be covered with decomposed granite will be included. Any future development proposal for this area shall require a preliminary site development assessment and review in a Pre-application conference.

- **Elevations**

The project elevations depict a contemporary architectural design that will utilize stucco and color palette comprised of Cliff's View, Colorado Trail, Autumn Umber or equivalent, storefront glazing with tinted glass, concrete tile roofing, and painted metal shade trellises.

Project cross sections indicate a tiered one-story structure with heights ranging from 15 feet nearest the residential property line to 30 feet near the commercial property line to the south. A Proximity Slope Analysis was prepared to ensure conformance with Title 19.08 Residential Adjacency Standards (RAS). The northern portion of the structure nearest the residential property line will be 15 feet tall with a setback of 39 feet thereby matching the rear setback of the single family home located at the north. The highest points of the structure will be setback a distance of 80 feet and 93 feet (where 78 feet and 90 feet are required for heights of 25 feet and 30 feet) respectively in compliance with Title 19.08 RAS requirements.

- **Floor Plan**

The 8,900 square foot structure will comprise a 3,330 square foot sanctuary; stage, multi-purpose rooms, vestibule, kitchen, restrooms, cryroom, work and office space for the remaining 5,570 square feet.

FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

1. **The proposed development is compatible with adjacent development and development in the area;**

The proposed church/house of worship will be a compatible with adjacent residential and commercial uses. The project includes landscaping that will improve existing conditions within a revitalization area.

2. **The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;**

The project will result in development of a vacant dirt lot within an older area of the city. The proposed development is located within a General Plan designated Revitalization area and will implement Goal 2 of the General Plan Goals and Objectives which is to improve and sustain mature neighborhoods through appropriate and selective high quality redevelopment and preservation. The project will comply with the underlying C-1 zone standards.

3. **Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

Vehicular access to the project site will not adversely affect street operations.

4. **Building and landscape materials are appropriate for the area and for the City;**

Building and landscape materials will improve the existing condition of the project site and will blend with neighboring structures.

5. **Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;**

The desert architectural design will result in a structure that will complement existing buildings in the community.

6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.

Public health and safety will not be compromised with implementation of the project as proposed.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 11

SENATE DISTRICT 10

NOTICES MAILED 330 by Planning Department

APPROVALS 0

PROTESTS 0